

**Notice of Allowability**

Application No.

09/558,060

Examiner

Baoquoc N. To

Applicant(s)

BERGAN, JOHN RICHARD

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/19/2005.
2. ☒ The allowed claim(s) is/are 1,3-5,7,9-11 and 13-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

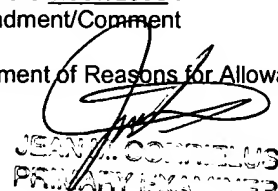
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12/07/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

  
JEANNE CORNELIUS  
PRIMARY EXAMINER

### DETAILED ACTION

1. Claims 1, 3-5, 7, 9-11, 13-14 are pending in this application.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald W. Marks, Reg. No. 24,218 on 12/07/2005.

Please amend the application as follow:

1. (Currently) A data checking system for determine if necessary if necessary files and data have been entered into a computerized management system having a data base containing a plurality of files and data, the system comprising:

an item list defining possible data including lesson plan information in the computerized management system;

means for displaying the list and for enabling a ~~the~~ user to select one or more items in the item list as necessary for the management system;

means enabling a the user request a search of the data base for the selected items; and

means responsive to a request to search of the database for the selected items for conducting an inspection of the management system data base to determine the

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presence or absence of the selected items including lesson plans and for reporting the results of the conducted inspection.

3. (Currently) A data checking system for determine if necessary files and have been entered into a computerized educational management system having a data base containing a plurality of files and data, the system comprising:

an item defining possible data in the computerized management system;

means for displaying the list and for enabling a ~~the~~ user to select one or more items in the item list as necessary for the management;

means enabling a the user to request a search of the data base for the selected items; and

means responsive to a request to search the database for the selected items for conducting an inspection of the management system data base to determine the presence or absence of the selected items and for reporting the results of the conducted inspection;

wherein the item list includes child development areas and the inspection conducting means determines the presence or absence of child accomplishment in the selected development areas.

***Allowable Subject Matter***

3. Claims 1, 3-5, 7, 9-11 and 13-14 are allowed over prior art made of record.

The following is an examiner's statement of reasons for allowance:

As to claim 1, Pellegrino nowhere mention any need for a principle or management to determine if teachers have entered necessary items or data in an educational database, there is no suggestion that such selection and search request by a principle can lead to the determine whether or not all necessary lessons plans have been entered into the database and Pellegrino et al. report or list of lesson plans found by the search but this does not inform the principle of any missing lesson plans or other data” in conjunction with “an item list defining possible data including lessons plan information in the computerized management systems and means for displaying the list and for enabling the user to select one or more items in the item list as necessary for the management system; and means for enabling a user to request a search of the data base for the selected items.”

Claim 13 depended on claim 1, therefore, claim 13 is allowed under the same reason as to claim 1.

Claim 4 is a method performs in the computer system of claim 1; therefore, claim 4 is allowed under the same reason as to claim 1.

Claims 5, 7, 10-11 and 14 are depended on claim 4; therefore, they are allowed under the same reason as to claim 4.

Claim 3 is allowed under the same reason as to claim 1; in addition Pellegrino and Ho do not disclose, “wherein the item list includes development areas and the inspection conducting means determine the presence or absence of child accomplishment in the selected development areas.

Claim 9 is depended on claim 3; therefore, claim 3 is allowed under the same reason as to claim 3.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

### **Patent**

Grundnitski et al.	(Pub. US. 2003/0027121 A1)	Pub. Date: 02/06/2003.
Houlihan et al.	(US. Patent No. 6,535,713 B1)	Patent date: 03/18/2003.
Lockwood	(US. Patent No. 6,554,618 B1)	Patent date: 04/29/2003.
Simon	(US. Patent No. 6,498,920 B1)	Patent date: 12/24/2002.
Truluck et al.	(US. Patent No. 6,353,447 B1)	Patent date: 03/05/2002.
Kirsch et al.	(US. Patent No. 5,893,717)	Patent date: 04/13/1999.
Koyama et al.	(US. Patent No. 5,829,983)	Patent date: 11/03/1998.
Grundnitski et al.	(US. Patent No. 6,904,263 B2)	Patent date: 06/07/2005.

### **NPL:**

Kelly et al. Qualitative observations from software code inspection experiments, IBM Centre for Advanced Studies Conference, 2002, page 5.

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Villiers De Ruth. Usability evaluation of an e-learning tutorial: criteria, questions and case study, ACM International Conference Proceeding Series; Vol. 75, 2004, page 284-291.

Foley Jim. Integrating computer technology, people technology and application technology: strategies and case studies from Georgia Tech's Graphic, Visualization and Usability Center, Proceeding of the workshop on Advanced visual interfaces, 1994, 34-43.

### ***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

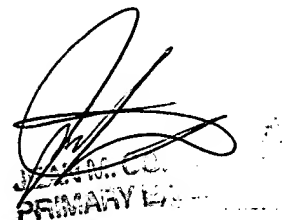
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) –273-8300 [Official Communication]

BQ To

A handwritten signature in black ink is written over a rectangular official stamp. The stamp contains the text "EXAMINER" and "PRIMARY EXAMINER" in a bold, sans-serif font. The signature is a stylized, cursive-like script.

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December 7th, 2005